IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

APPLE INC.,)
Plaintiff,)
V.) C.A. No. 22-1378-MN-JLH
MASIMO CORPORATION and SOUND UNITED, LLC,)) JURY TRIAL DEMANDED)
Defendants.)))
MASIMO CORPORATION and)
CERCACOR LABORATORIES, INC.,	,)
Counter-Claimants,))
v.)
APPLE INC.,))
)
Counter-Defendant.)

REQUEST FOR ORAL ARGUMENT

Pursuant to D. Del. LR 7.1.4, Plaintiff Apple Inc. respectfully requests oral argument on Apple Inc.'s Motion to Dismiss Masimo Corporation's Counterclaims and Strike Its Inequitable Conduct Affirmative Defense (D.I. 39). Briefing is complete on this motion.

OF COUNSEL:

John M. Desmarais Jordan N. Malz Cosmin Maier Kerri-Ann Limbeek DESMARAIS LLP 230 Park Avenue New York, NY 10169 Tel: (212) 351-3400

Peter C. Magic DESMARAIS LLP 101 California Street San Francisco, CA 94111 Tel: (415) 573-1900

Jennifer Milici Leon B. Greenfield Dominic Vote WILMER CUTLER PICKERING HALE AND DORR LLP 2100 Pennsylvania Avenue, NW Washington DC 20037 Tel: (202) 663-6000

Mark A. Ford
WILMER CUTLER PICKERING HALE
AND DORR LLP
60 State Street
Boston, MA 02109
Tel: (617) 526-6423

Dated: April 25, 2023 10772767 / 12209.00052

Respectfully submitted,

POTTER ANDERSON & CORROON LLP

By: <u>/s/Bindu A. Palapu</u>ra

David E. Moore (#3983) Bindu A. Palapura (#5370) Andrew L. Brown (#6766) Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19801 Tel: (302) 984-6000

dmoore@potteranderson.com
bpalapura@potteranderson.com
abrown@potteranderson.com

Attorneys for Plaintiff/Counter-Defendant Apple Inc.